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JUN 07 2006

PATENT  
PU010092

**CUSTOMER NO.: 24498**

**Serial No. 09/883,635**

Reply to Telephone Conversation dated: 6/07/06

Response dated: 6/07/06

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Inventors: Shu Lin et al.

Examiner: Mishawn Dunn

Serial No.: 09/883,635

Art Unit: 2616

Filed: June 18, 2001

Title: **Changing a Playback Speed for a Video Presentation Recorded in a Progressive Frame Structure Format**

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**RESPONSE TO TELEPHONE CONVERSATION WITH EXAMINER**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This is in response to the Telephone Conversation of June 07, 2006.

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Serial No. 09/883,635**

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**REMARKS**

In a telephone conversation with the Examiner on June 7, 2006, the Examiner stated that the Applicant's claims 1-26 would be in allowable condition if the Applicant was to file a proper terminal disclaimer over two other applications owned by the Applicant. As such, the Applicant is herewith filing a proper terminal disclaimer as requested by the Examiner. None of the claims are amended by this response.

In view of the accompanying terminal disclaimer, the Applicant respectfully submits that none of these claims now pending in the Application are subject to a non-statutory Double Patenting rejection. In addition, the Applicant submits that none of these claims now pending in the application are anticipated under the provisions of 35 U.S.C. § 102 or obvious under the provisions of 35 U.S.C. § 103. Thus the Applicant believes that all of these claims are now in allowable form.

**Double Patenting**

**A. Judicially created obviousness type double patenting**

In a telephone conversation of June 7, 2006, the Examiner stated that the Applicant's claims are rejected under the Judicially created doctrine of obviousness type double patenting as being unpatentable over the claims of U.S. Patent Application No. 09/883,547, now issued U.S. Patent No. 6,714,721.

The Applicant respectfully disagrees and believes that the above identified patent application and the above identified commonly owned U.S. Patent are unobvious in view of the other, however, to further the prosecution of the above identified patent application, the Applicant is submitting herewith a timely filed terminal disclaimer in compliance with 37 CFR 1.321(c). As such, the Applicant submits that the basis for the Examiner's rejection of the Applicant's claims under the Judicially created doctrine of obviousness type double patenting has been

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removed. As such, the Applicant respectfully requests that the Examiner's rejection of the Applicant's claims be withdrawn.

**B. Judicially created obviousness type double patenting**

In a telephone conversation of June 7, 2006, the Examiner stated that the Applicant's claims are rejected under the Judicially created doctrine of obviousness type double patenting as being unpatentable over the claims of U.S. Patent Application No. 10/001,466, now issued U.S. Patent No. 6,707,984.

The Applicant respectfully disagrees and believes that the above identified patent application and the above identified commonly owned U.S. Patent are unobvious in view of the other, however, to further the prosecution of the above identified patent application, the Applicant is submitting herewith a timely filed terminal disclaimer in compliance with 37 CFR 1.321(c). As such, the Applicant submits that the basis for the Examiner's rejection of the Applicant's claims under the Judicially created doctrine of obviousness type double patenting has been removed. As such, the Applicant respectfully requests that the Examiner's rejection of the Applicant's claims be withdrawn.

**Conclusion**

In a telephone conversation with the Examiner on June 07, 2006, the Examiner indicated that the Applicant's claims would be allowable if the Applicant submitted a terminal disclaimer citing commonly owned patent applications 09/883,547 and 10/001,466. As such, the Applicant is herewith filing a terminal disclaimer as requested by the Examiner.

The Applicant respectfully submits that, at least because of the timely filed terminal disclaimer submitted herewith, none of the claims presently in the above identified patent application, are subject to rejection under the Judicially created, non-statutory Double Patenting doctrine. Consequently, the Applicant believes that all these claims are presently in condition for allowance. Accordingly, both

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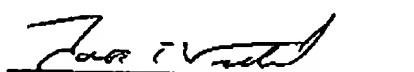
reconsideration of this application and its swift passage to issue are earnestly solicited.

If however, the Examiner believes that there are any unresolved issues requiring adverse final action in any of the claims now pending in the application, or if the Examiner believes a telephone interview would expedite the prosecution of the subject application to completion, it is respectfully requested that the Examiner telephone the undersigned.

The Terminal Disclaimer fee 37 CFR 1.20(d) is included herewith. It is believed that no additional fees or charges are currently due. However, if a fee is due, please charge the additional fee to Deposit Account No. 07-0832.

Respectfully submitted,  
LIN et al.

By:

  
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Jorge Tony Villabon, Attorney  
Reg. No. 52,322  
(609) 734-6445

Patent Operations  
Thomson Licensing Inc.  
P.O. Box 5312  
Princeton, New Jersey 08543-5312

June 07, 2006

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**Certificate of Transmission under 37 CFR 1.8**

**JUN 07 2006**

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office

on JUNE 7, 2006.

Date



Signature

Patricia M. Fedorowycz

Typed or printed name of person signing Certificate

Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

TO: Mail Stop AMENDMENT

ATTACHED: FEE TRANSMITTAL (PTO/SB/17) in duplicate;

TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL  
DOUBLE PATENTING REJECTION OVER A "PRIOR" PATENT  
(PTO/SB/25); and

RESPONSE TO TELEPHONE CONVERSATION WITH  
EXAMINER.

CUSTOMER NO.: 24498

Serial No.: 09/883,635

Docket No.: PU010092

Art Unit: 2616

Examiner: Mishawn Dunn

TOTAL NUMBER OF PAGES INCLUDING THIS SHEET: 8

This collection of information is required by 37 CFR 1.8. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.8 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

# FEE TRANSMITTAL

for FY 2006

Applicant claims small entity status. See 37 CFR 1.27

**TOTAL AMOUNT OF PAYMENT** (\$ 130.00)

Complete If Known

Application Number	09/883,635	RECEIVED
Filing Date	June 16, 2001	CENTRAL FAX CENTER
First Named Inventor	Shu Lin	
Examiner Name	Mishawn Dunn	JUN 07 2006
Art Unit	2616	
Attorney Docket No.	PU010092	

METHOD OF PAYMENT (check all that apply)		<b>CUSTOMER NUMBER: 24498</b>	
<input type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money Order		<input type="checkbox"/> None <input type="checkbox"/> Other (please identify): _____	
<input checked="" type="checkbox"/> Deposit Account: Deposit Account Number <b>07-0832</b> Deposit Account Name: <b>THOMSON LICENSING INC.</b> For the above-identified deposit account, the Director is hereby authorized to: (check all that apply) <input checked="" type="checkbox"/> Charge fee(s) indicated below <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee <input checked="" type="checkbox"/> Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 <input checked="" type="checkbox"/> Credit any overpayments			
<small>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2096.</small>			

FEE CALCULATION (All the fees below are due upon filing or may be subject to a surcharge.)

## 1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES	
	Small Entity	Fee (\$)	Small Entity	Fee (\$)	Small Entity	Fee (\$)
Utility	300	150	500	250	200	100
Design	200	100	100	50	130	65
Plant	200	100	300	150	160	80
Reissue	300	150	500	250	600	300
Provisional	200	100	0	0	0	0

## 2. EXCESS CLAIM FEES

Fee Description

Each claim over 20 (including Reissues)

Each independent claim over 3 (including Reissues)

Multiple dependent claims

Total Claims

<u>Extra Claims</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>
- 20 or HP =	x	=

HP = highest number of total claims paid for, if greater than 20.

Small Entity	
Fee (\$)	25
200	100
360	180

Multiple Dependent Claims

<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>
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Independent Claims

<u>Extra Claims</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>
- 3 or HP =	x	=

HP = highest number of independent claims paid for, if greater than 3.

## 3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$260 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
- 100 =	/ 50 =	(round up to a whole number) x		

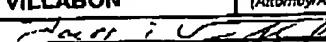
## 4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): Fee for filing Terminal Disclaimer to Obviate a Provisional Double Patenting Rejection Over A "Prior" Patent

\$130.00

## SUBMITTED BY

Name (Print/Type)	JORGE TONY VILLABON	Registration No. (Attorney/Agent)	52,322	Telephone	(609) 734-6445
Signature					

This collection of information is required by 37 CFR 1.106. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is provided by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and sending the completed application form to the USPTO. This estimate may vary depending upon the individual case. Any comments on the amount of time you require to complete this form and the burden of completing this form, including the burden of reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.